

Fill in this information to identify the case:Debtor name Preferred Ready-Mix LLCUnited States Bankruptcy Court for the: SOUTHERN DISTRICT OF TEXASCase number 21-33369
(if known)☒ Check if this is an amended filingOfficial Form 207**Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy**

04/19

The debtor must answer every question. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known).

Part 1: Income**1. Gross revenue from business**☐ None

Identify the beginning and ending dates of the debtor's fiscal year, which may be a calendar year

Sources of revenue
Check all that apply.Gross revenue
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:

From 01/01/2021 to
MM/DD/YYYY

Filing date

☒ Operating a business
☐ Other\$726,113.80

For prior year:

From 01/01/2020 to
MM/DD/YYYY12/31/2020
MM/DD/YYYY☒ Operating a business
☐ Other\$2,385,284.28

For the year before that:

From 01/01/2019 to
MM/DD/YYYY12/31/2019
MM/DD/YYYY☒ Operating a business
☐ Other\$217,240.00**2. Non-business revenue**

Include revenue regardless of whether that revenue is taxable. *Non-business income* may include interest, dividends, money collected from lawsuits, and royalties. List each source and the gross revenue for each separately. Do not include revenue listed in line 1.

☒ None**Part 2: List Certain Transfers Made Before Filing for Bankruptcy****3. Certain payments or transfers to creditors within 90 days before filing this case**

List payments or transfers—including expense reimbursements—to any creditor, other than regular employee compensation, within 90 days before filing this case unless the aggregate value of all property transferred to that creditor is less than \$6,825. (This amount may be adjusted on 4/01/22 and every 3 years after that with respect to cases filed on or after the date of adjustment.)

☐ None

Creditor's name and address	Dates	Total amount or value	Reasons for payment or transfer Check all that apply
3.1. FundThrough USA Inc. Creditor's name 3730 Kirby Drive Street Suite 1200 Houston TX 77098 City State ZIP Code	9/29/21, 9/15/21, 9/1/21, 8/25/21, 8/18/21, 8/11/21	<u>\$8,661.17</u>	<input checked="" type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other

Debtor	Preferred Ready-Mix LLC		Case number (if known)	21-33369
	Name			

Creditor's name and address	Dates	Total amount or value	Reasons for payment or transfer <i>Check all that apply</i>
3.2. The Cromeens Law Firm, PLLC	9/29/21,	\$12,165.89	
Creditor's name	9/1/21,		<input type="checkbox"/> Secured debt
8431 Katy Fwy	8/16/21		<input type="checkbox"/> Unsecured loan repayments
Street			<input type="checkbox"/> Suppliers or vendors
			<input checked="" type="checkbox"/> Services
			<input type="checkbox"/> Other
Houston	TX	77024	
City	State	ZIP Code	

4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider

List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed or co-signed by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than \$6,825. (This amount may be adjusted on 4/01/22 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. Insiders include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(31).

☒ None

5. Repossessions, foreclosures, and returns

List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6.

☐ None

Creditor's name and address	Description of the property	Date	Value of property
5.1. Cameron Roesle	Mechanic Truck; 2003 Ford F250;	09/30/21	\$450,000.00
Creditor's name	Mixer Trucks; 1999 Peterbilt 357;		
10457 Royal Andrews Drive	1997 Peterbilt 379; 1999 Peterbilt;		
Street	2000 Peterbilt; 1999 Peterbilt; 1999		
	Peterbilt and 2000 Peterbilt		
Conroe	TX	77303	
City	State	ZIP Code	

6. Setoffs

List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a debt.

☒ None

Part 3: Legal Actions or Assignments

7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits

List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity--within 1 year before filing this case.

☐ None

Case title	Nature of case	Court or agency's name and address	Status of case
7.1. Cameron Roesle v. Robert Foran & Nolan Star Trucking LLC	Collection Action against former employer, Nolan Star Trucking LLC. Debtor named in the suit.	400th Judicial District Court	<input type="checkbox"/> Pending
		Name	<input type="checkbox"/> On appeal
		Fort Bend County, Texas	<input checked="" type="checkbox"/> Concluded
		Street	
Case number			
19-DCV-267154			
		City	State ZIP Code

Debtor	Preferred Ready-Mix LLC		Case number (if known)	21-33369	
	Name				

	Case title	Nature of case	Court or agency's name and address	Status of case
7.2.	Texcon Ready Mix v. Preferred Ready-Mix	Collection action	400th Judicial District Court	<input checked="" type="checkbox"/> Pending
			Name	<input type="checkbox"/> On appeal
			Fort Bend County, Texas	<input type="checkbox"/> Concluded
			Street	
	Case number			
	2020-77612			
			City	State ZIP Code

	Case title	Nature of case	Court or agency's name and address	Status of case
7.3.	M & N Law Firm, PLLC v. Preferred Ready-Mix	Collection action	Harris County Court at Law No. 4	<input checked="" type="checkbox"/> Pending
			Name	<input type="checkbox"/> On appeal
			Street	<input type="checkbox"/> Concluded
	Case number			
	1171096			
			City	State ZIP Code

	Case title	Nature of case	Court or agency's name and address	Status of case
7.4.	Preferred Ready-Mix, LLC v. St. Croix Custom Pools, LLC, Mark S. Mills		Brazoria County Court at Law	<input checked="" type="checkbox"/> Pending
			Name	<input type="checkbox"/> On appeal
			Street	<input type="checkbox"/> Concluded
	Case number			
	CI62372			
			City	State ZIP Code

	Case title	Nature of case	Court or agency's name and address	Status of case
7.5.	Preferred Ready-Mix, LLC v. St. Croix Custom Pools, LLC, Mark S. Mills		Harris County Court No. 4	<input checked="" type="checkbox"/> Pending
			Name	<input type="checkbox"/> On appeal
			Street	<input type="checkbox"/> Concluded
	Case number			
	1165465			
			City	State ZIP Code

	Case title	Nature of case	Court or agency's name and address	Status of case
7.6.	Preferred Ready-Mix, LLC v. St. Croix Custom Pools, LLC, Mark S. Mills		Harris County Court at Law No. 4	<input checked="" type="checkbox"/> Pending
			Name	<input type="checkbox"/> On appeal
			Street	<input type="checkbox"/> Concluded
	Case number			
	1164945			
			City	State ZIP Code

Debtor **Preferred Ready-Mix LLC** Case number (if known) **21-33369**
 Name

8. Assignments and receivership

List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case.

☐ None

Custodian's name and address

Robert W. Berleth

Custodian's name

9950 Cypresswood Drive, Suite 200

Street

Houston

TX

77070

City

State

ZIP Code

Description of the property

physical assets of Preferred Ready-Mix

Case title

Cameron Roesle vs. Robert Foran and Nola

Case number

19-DCV-267154

Date of order or assignment

06/24/2020

Value

\$450,000.00

Court name and address

400th Judicial District Court

Name

Fort Bend County, TX

Street

City

State

ZIP Code

Part 4: Certain Gifts and Charitable Contributions

9. List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than \$1,000

☒ None

Part 5: Certain Losses

10. All losses from fire, theft, or other casualty within 1 year before filing this case.

☒ None

Part 6: Certain Payments or Transfers

11. Payments related to bankruptcy

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring, seeking bankruptcy relief, or filing a bankruptcy case.

☐ None

	Who was paid or who received the transfer?	If not money, describe the property transferred	Dates	Total amount or value
11.1.	Hoff Law Offices, PC		10/14/21	\$20,000.00
	Address			
	Jessica Hoff			
	Street			
	440 Louisiana Street, Suite 850			
	Houston	TX	77002	
	City	State	ZIP Code	
	Email or website address			
	Who made the payment, if not debtor?			
	Johanna Jabinel			

Debtor **Preferred Ready-Mix LLC** Case number (if known) **21-33369**

Name

	Who was paid or who received the transfer?	If not money, describe the property transferred	Dates	Total amount or value
11.2.	Joyce Lindauer			\$10,000.00

Address**1412 Main Street**

Street

Suite 500**Dallas**

City

TX

State

75202

ZIP Code

Email or website address**Who made the payment, if not debtor?****12. Self-settled trusts of which the debtor is a beneficiary**

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device.

Do not include transfers already listed on this statement.

☒ None**13. Transfers not already listed on this statement**

List any transfers of money or other property--by sale, trade, or any other means--made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.

☒ None**Part 7: Previous Locations****14. Previous addresses**

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

☒ Does not apply

Debtor **Preferred Ready-Mix LLC**
Name

Case number (if known) **21-33369**

Part 8: Health Care Bankruptcies

15. Health Care bankruptcies

Is the debtor primarily engaged in offering services and facilities for:

- ☐ diagnosing or treating injury, deformity, or disease, or
- ☐ providing any surgical, psychiatric, drug treatment, or obstetric care?

- ☒ No. Go to Part 9.
☐ Yes. Fill in the information below.

Part 9: Personally Identifiable Information

16. Does the debtor collect and retain personally identifiable information of customers?

- ☒ No.
☐ Yes. State the nature of the information collected and retained _____

Does the debtor have a privacy policy about that information?

- ☐ No.
☐ Yes.

17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b) or other pension or profit-sharing plan made available by the debtor as an employee benefit?

- ☒ No. Go to Part 10.
☐ Yes. Does the debtor serve as plan administrator?
☐ No. Go to Part 10.
☐ Yes. Fill in below:

Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units

18. Closed financial accounts

Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved, or transferred?

Include checking, savings, money market, or other financial accounts, certificates of deposit, and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions.

- ☒ None

19. Safe deposit boxes

List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case.

- ☒ None

20. Off-premises storage

List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business.

- ☒ None

Debtor **Preferred Ready-Mix LLC** Case number (if known) **21-33369**
 Name

Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own

21. Property held for another

List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do not list leased or rented property.

☒ None

Part 12: Details About Environmental Information

For the purpose of Part 12, the following definitions apply:

- *Environmental law* means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium).
- *Site* means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.
- *Hazardous material* means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.

Report all notices, releases, and proceedings known, regardless of when they occurred.

22. Has the debtor been a party in any judicial or administrative proceeding under any environmental law?

Include settlements and orders.

- ☒ No
☐ Yes. Provide details below.

23. Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?

- ☒ No
☐ Yes. Provide details below.

24. Has the debtor notified any governmental unit of any release of hazardous material?

- ☒ No
☐ Yes. Provide details below.

Part 13: Details About the Debtor's Business or Connections to Any Business

25. Other businesses in which the debtor has or has had an interest

List any business for which the debtor was an owner, partner, member, or otherwise a person in control within 6 years before filing this case. Include this information even if already listed in the Schedules.

☒ None

26. Books, records, and financial statements

26a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.

☐ None

Name and address

Dates of service

26a.1. **Jeffrey McClellan**

From **2021** To **Present**

Name

830 3rd Street, Suite 205

Street

Rosenberg

TX

77479

City

State

ZIP Code

Debtor **Preferred Ready-Mix LLC** Case number (if known) **21-33369**
 Name

- 26b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

☐ None

Name and address

Dates of service

26b.1. **Peter L. Herb & Peter L. Herb, CPA, PC** From **2019** To **2021**
 Name
Wealthco Financial Group, LLC
 Street
1080 W. Sam Houston Pkwy N, Suite 125
Houston TX 77043
 City State ZIP Code

- 26c. List all firms or individuals who were in possession of the debtor's books of account and records when this case is filed.

☐ None

Name and address

If any books of account and records are unavailable, explain why

26c.1. **Jeffrey McClellan**
 Name
830 3rd Street, Suite 205
 Street
Rosenberg TX 77479
 City State ZIP Code

- 26d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom the debtor issued a financial statement within 2 years before filing this case.

☒ None

27. Inventories

Have any inventories of the debtor's property been taken within 2 years before filing this case?

☒ No.

☐ Yes. Give the details about the two most recent inventories.

28. List the debtor's officers, directors, managing members, general partners, members in control, controlling shareholders, or other people in control of the debtor at the time of the filing of this case.

Name	Address	Position and nature of any interest	% of interest, if any
Robert C. Foran	9526 BonBrook Bend Lane Richmond, TX 77469	President	50%
Lincoln M. Cathcings, III	6611 Ivy Health Lane Houston, TX 77041	Vice President	50%

29. Within 1 year before the filing of this case, did the debtor have officers, directors, managing members, general partners, members in control of the debtor, or shareholders in control of the debtor who no longer hold these positions?

☐ No

☒ Yes. Identify below.

Name	Address	Position and nature of any interest	Period during which position or interest was held
Matthew Tyson		Member / 1/3 owner	From 10/9/19 To 3/18/21

Debtor **Preferred Ready-Mix LLC**
NameCase number (if known) **21-33369****30. Payments, distributions, or withdrawals credited or given to insiders**

Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonuses, loans, credits on loans, stock redemptions, and options exercised?

- ☒ No
☐ Yes. Identify below.

31. Within 6 years before filing this case, has the debtor been a member of any consolidated group for tax purposes?

- ☒ No
☐ Yes. Identify below.

32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund?

- ☒ No
☐ Yes. Identify below.

Part 14: Signature and Declaration

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both.
 18 U.S.C. §§ 152, 1341, 1519, and 3571.

I have examined the information in this *Statement of Financial Affairs* and any attachments and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **11/24/2021**
 MM / DD / YYYY

X /s/ Robert ForanPrinted name **Robert Foran**

Signature of individual signing on behalf of the debtor

Position or relationship to debtor **President**

Are additional pages to *Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy* (Official Form 207) attached?

- ☒ No
☐ Yes